

RULE 63 (37 C.F.R. 1.63)  
DECLARATION FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **PERFORMANCE-BASED TRAINING ASSESSMENT**, the specification of which (check applicable box(es)):

- ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_  
☐ was filed as PCT international application No. PCT/\_\_\_\_\_/\_\_\_\_ on \_\_\_\_\_ and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

**Prior Foreign Application(s):**  
Application Number \_\_\_\_\_

Country \_\_\_\_\_

Day/Month/Year Filed \_\_\_\_\_

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

**Prior Provisional Application(s):**  
Application Serial No. \_\_\_\_\_

Day/Month/Year Filed \_\_\_\_\_

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**Prior U.S./PCT Application(s):**  
Application Serial No. \_\_\_\_\_

Date/Month/Year Filed \_\_\_\_\_

Status: patented,  
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Inventor's Signature \_\_\_\_\_

Date 4/17/01

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0903706-041001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hadden *et al.*

For: **PERFORMANCE-BASED TRAINING ASSESSMENT**

Filed concurrently herewith.

Serial Number to be assigned.

Commissioner for Patents

Washington, D.C. 20231

POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of Hadden *et al.* for U.S. Letters Patent for **PERFORMANCE-BASED TRAINING ASSESSMENT**, by an assignment document being recorded contemporaneously herewith, hereby appoints the firm of Withrow & Terranova, P.L.L.C., Customer Number 27820, comprising Benjamin S. Withrow, Reg. No. 40,876 and Steven N. Terranova, Reg. No. 43,185, as my attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

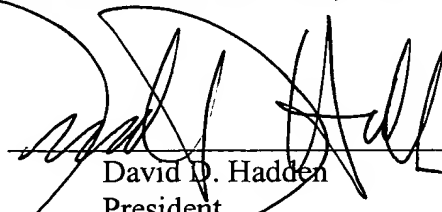
Furthermore, in accordance with 37 CFR §3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

09837076-041804

PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:  
WITHROW & TERRANOVA, P.L.L.C., CUSTOMER NUMBER 27820, P.O. BOX 1287,  
CARY, NORTH CAROLINA 27512, (919) 654-4520.

NEW COURSE EDUCATION, INC.

BY:

  
David D. Hadden  
President

Date:

4/17/01

File No.: 1004-001

1004-001-041801-09837076